

United States Courts
Southern District of Texas
FILED

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Phoenix, Arizona 85016
3 Telephone: (602) 524-6602
ps@strojnik.com
4

MAR 29 2019

David J. Bradley, Clerk of Court

5 **UNITED STATES DISTRICT COURT**
6 **FOR THE SOUTHERN DISTRICT OF TEXAS**
Houston Division

7 **CASE NO.:**

8
9
10 Peter Strojnik,
11 Plaintiff,
12
13 vs.
14 Landry's Inc. dba The Post Oak Hotel
15
16 Defendant.

17 **COMPLAINT**

18 1. Plaintiff brings this action pursuant to the (1) Americans with Disabilities Act, 42
19 U.S.C. §12101 *et seq.* and corresponding regulations, 28 CFR Part 36 and Department
20 of Justice Standards for Accessible Design (“ADA”), and (2) common law of
21 negligence per se.

22 **PARTIES**

23 2. Plaintiff Peter Strojnik is a veteran and a disabled person as defined by the ADA.
24 3. Plaintiff is a single man currently residing in Maricopa County, Arizona. Plaintiff is
25 and, at all times relevant hereto has been, legally disabled by virtue of a severe right-
26 sided neural foraminal stenosis with symptoms of femoral neuropathy, prostate cancer
27 and renal cancer, degenerative right knee and is therefore a member of a protected
28 class under the ADA.

- 1 4. Plaintiff suffers from physical impairments described above which impairments
2 substantially limit his major life activities. Plaintiff walks with difficulty and pain
3 and requires compliant mobility accessible features at places of public
4 accommodation. Plaintiff's impairment is constant, but the degree of pain is episodic
5 ranging from dull and numbing pain to extreme and excruciating agony.
6 5. Plaintiff is retired and likes to spend his retirement years traveling the United States.
7 6. Defendant, owns, operates leases or leases to a lodging business ("Hotel") located at
8 1600 W. Loop S., Houston, TX 77027 which is a public accommodation pursuant to
9 42 U.S.C. § 12181(7)(A).

JURISDICTION

- 10 7. District Court has jurisdiction over this case or controversy by virtue of 28 U.S.C. §§
11 28-1331 and 42 U.S.C. § 12188 and 28 U.S.C. § 1367.
12 8. Plaintiff brings this action as a private attorney general who has been personally
13 subjected to discrimination on the basis of his disability, *see* 42 U.S.C. §12188 and
14 28 CFR §36.501.
15 9. This Court has continuing subject matter jurisdiction by virtue of, *inter alia*,
16 Plaintiff's claim for equitable nominal damages.
17 10. Venue is proper pursuant to 28 U.S.C. § 1391.
18 11. The ADAAG violations in this Verified Complaint relate to barriers to Plaintiffs
19 mobility. This impairs Plaintiff's full and equal access to the Hotel which, in turn,
20 constitutes discrimination satisfying the "injury in fact" requirement of Article III of
21 the United States Constitution.
22 12. Plaintiff is deterred from visiting the Hotel based on Plaintiff's knowledge that the
23 Hotel is not ADA or State Law compliant as such compliance relates to Plaintiff's
24 disability.
25 13. Plaintiff intends to visit Defendant's Hotel at a specific time when the Defendant's
26 noncompliant Hotel becomes fully compliant with ADAAG; just as a disabled
27 individual who intends to return to a noncompliant facility suffers an imminent injury
28 from the facility's existing or imminently threatened noncompliance with the ADA, a

1 plaintiff who is deterred from patronizing a hotel suffers the ongoing actual injury of
2 lack of access to the Hotel.

3 **COUNT ONE**
4 **Violation of Plaintiff's Civil Rights under the ADA**

- 5 14. Plaintiff realleges all allegations heretofore set forth.
6 15. By virtue of his disability, Plaintiff requires an ADA compliant lodging facility
7 particularly applicable to his mobility, both ambulatory and wheelchair assisted.
8 16. Plaintiff intended to visit Houston, Texas for a visit between November 16, 2018 and
9 November 19, 2018 and therefore, reviewed vacation booking websites as
10 documented in Addendum A which is by this reference incorporated herein for all
11 purposes.
12 17. Plaintiff became aware that third party booking websites disclosed general availability
13 and description of Defendant's Hotel. Third Party booking websites referenced here
14 are more fully documented in Addendum A which is by this reference incorporated
15 herein.
16 18. Third party booking websites failed to identify and describe mobility related
17 accessibility features and guest rooms offered through its reservations service in
18 enough detail to reasonably permit Plaintiff to assess independently whether
19 Defendant's Hotel meets his accessibility needs as more fully documented in
20 Addendum A.
21 19. Third party booking websites also failed to make reservations for accessible guest
22 rooms available in the same manner as individuals who do not need accessible rooms.
23 See Addendum A.
24 20. Thereafter, Plaintiff became aware that Defendant's 1st party booking website failed
25 to identify and describe mobility related accessibility features and guest rooms offered
26 through its reservations service in enough detail to reasonably permit Plaintiff to
27 assess independently whether Defendant's Hotel meets his accessibility needs as more
28 fully documented. See Addendum A.

- 1 21. Plaintiff also became aware that Defendant's 1st party booking website failed to make
 - 2 reservations for accessible guest rooms available in the same manner as individuals
 - 3 who do not need accessible rooms. *See Addendum A.*
 - 4 22. Plaintiff thereafter reviewed Defendant's online information relating to accessibility
 - 5 or lack thereof, including in particular photographs of the amenities at the Hotel all as
 - 6 more fully documented in Addendum A.
 - 7 23. Online information relating to accessibility or lack thereof disclosed architectural
 - 8 barriers to accessibility as more fully documented in Addendum A.
 - 9 24. Defendant has violated the ADA by denying Plaintiff equal access to its public
 - 10 accommodation on the basis of his disability as outlined above and as outlined in
 - 11 Addendum A.
 - 12 25. The ADA violations described in Addendum A relate to Plaintiff's disability and
 - 13 interfere with Plaintiff's full and complete enjoyment of the Hotel.
 - 14 26. As a result of the deficiencies described above, Plaintiff declined to book a room at
 - 15 Defendant's Hotel.
 - 16 27. The removal of accessibility barriers listed above is readily achievable.
 - 17 28. As a direct and proximate result of ADA Violations, Defendant's failure to remove
 - 18 accessibility barriers prevented Plaintiff from equal access to the Defendant's public
 - 19 accommodation.
- 20 **WHEREFORE**, Plaintiff prays for all relief as follows:
- 21 A. Relief described in 42 U.S.C. §2000a – 3; and
 - 22 B. Relief described in 42 U.S.C. § 12188(a) and (b) and, particularly -
 - 23 C. Injunctive relief order to alter Defendant's place of public accommodation to
 - 24 make it readily accessible to and usable by ALL individuals with disabilities;
 - 25 and
 - 26 D. Requiring the provision of an auxiliary aid or service, modification of a
 - 27 policy, or provision of alternative methods, to the extent required by
 - 28 Subchapter III of the ADA; and
 - E. Equitable nominal damages; and
 - F. For costs, expenses and attorney's fees; and

1 G. All remedies provided for in 28 C.F.R. 36.501(a) and (b).

2

3 **COUNT TWO**

4 Negligence

5 29. Plaintiff realleges all allegations heretofore set forth.

6 30. Defendant had a duty to Plaintiff to remove ADA accessibility barriers so that Plaintiff
7 as a disabled individual would have full and equal access to the public
8 accommodation.

9 31. Defendant breached this duty.

10 32. Defendant is or should be aware that, historically, society has tended to isolate and
11 segregate individuals with disabilities, and, despite some improvements, such forms
12 of discrimination against individuals with disabilities continue to be a serious and
13 pervasive social problem¹.

14 33. Defendant knowingly and intentionally participated in this historical discrimination
15 against Plaintiff, causing Plaintiff damage.

16 34. Discrimination against individuals with disabilities persists in the use and enjoyment
17 of critical public accommodations².

18 35. Defendant's knowing and intentional persistence in discrimination against Plaintiff is
19 alleged, causing Plaintiff damage.

20 36. Individuals with disabilities, including Plaintiff, continually encounter various forms
21 of discrimination, including outright intentional exclusion, the discriminatory effects
22 of architectural, overprotective rules and policies, failure to make modifications to
23 existing facilities and practices, exclusionary qualification standards and criteria,
24 segregation, and relegation to lesser services, programs, activities, benefits, jobs, or
25 other opportunities³.

26

27 37. Defendant's knowing and intentional discrimination against Plaintiff reinforces above
28 forms of discrimination, causing Plaintiff damage.

¹ 42 U.S.C. § 12101(a)(2)

² 42 U.S.C. §12101(a)(3)

³ 42 U.S.C. §12101(a)(5)

- 1 38. Census data, national polls, and other studies have documented that people with
2 disabilities, as a group, occupy an inferior status in our society, and are severely
3 disadvantaged socially, vocationally, economically, and educationally⁴.
- 4 39. Defendant's knowing and intentional discrimination has relegated Plaintiff to an
5 inferior status in society, causing Plaintiff damage.
- 6 40. The Nation's proper goals regarding individuals with disabilities are to assure equality
7 of opportunity, full participation, independent living, and economic self-sufficiency
8 for such individuals⁵.
- 9 41. Defendant's knowing, and intentional discrimination has worked counter to our
10 Nation's goals of equality, causing Plaintiff damage.
- 11 42. Continued existence of unfair and unnecessary discrimination and prejudice denies
12 people with disabilities the opportunity to compete on an equal basis and to pursue
13 those opportunities for which our free society is justifiably famous, and costs the
14 United States billions of dollars in unnecessary expenses resulting from dependency
15 and nonproductivity⁶.
- 16 43. Defendant's knowing and intentional unfair and unnecessary discrimination against
17 Plaintiff demonstrates Defendant's knowing and intentional damage to Plaintiff.
- 18 44. Defendant's breach of duty caused Plaintiff damages including, without limitation,
19 the feeling of segregation, discrimination, relegation to second class citizen status the
20 pain, suffering and emotional damages inherent to discrimination and segregation and
21 other damages to be proven at trial.
- 22 45. By violating Plaintiff's civil rights, Defendant engaged in intentional, aggravated and
23 outrageous conduct.
- 24 46. The ADA has been the law of the land since 1991, but Defendant engaged in a
25 conscious action of a reprehensible character, that is, Defendant denied Plaintiff his
26 civil rights, and cause him damage by virtue of segregation, discrimination, relegation

27

⁴ 42 U.S.C. §12101(a)(6)

28 ⁵ 42 U.S.C. §12101(a)(7)

⁶ 42 U.S.C. §12101(a)(8)

1 to second class citizen status the pain, suffering and emotional damages inherent to
2 discrimination and segregation and other damages to be proven at trial

3 47. Defendant either intended to cause injury to Plaintiff or defendant consciously
4 pursued a course of conduct knowing that it created a substantial risk of significant
5 harm to Plaintiff.

6 48. Defendant is liable to Plaintiff for punitive damages in an amount to be proven at trial
7 sufficient, however, to deter this Defendant and others similarly situated from
8 pursuing similar acts.

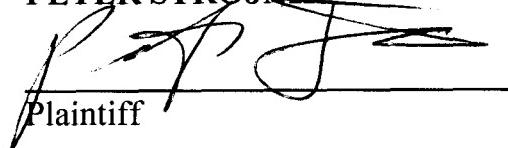
9 **WHEREFORE**, Plaintiff prays for relief as follows:

- 10 A. For finding of negligence; and
11 B. For damages in an amount to be proven at trial; and
12 C. For punitive damages to be proven at trial; and
13 D. For such other and further relief as the Court may deem just and proper.

14 **REQUEST FOR TRIAL BY JURY**

15 Plaintiff respectfully requests a trial by jury in issues triable by a jury.

16 PETER STROJNIK



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18 Plaintiff

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ADDENDUM A

AIR TRAVEL + HOTEL

Availability: Fri, Nov 16 - Mon, Nov 19

Trip Details

FLIGHT (2 roundtrip tickets) + HOTEL (3 nights), taxes & fees

Total: \$3,026.94
(includes 2 travelers)

ADA VIOLATIONS

THE POST OAK HOTEL AT UPTOWN HOUSTON BOOKING WEBSITE EXPEDIA.COM



The Post Oak Hotel at Uptown Houston ★★★★

New to Expedia!

The Galleria
Houston's Only AAA 5 Diamond Hotel
Houston's most luxurious rooms & world-class amenities, highlighted by unrivaled attention to detail, in the heart of the Galleria

Viewed
4.7/5 Exceptional!
(42 reviews)
In high demand!
We have 2 left at
\$1,513

Per person includes flight + hotel
Sponsored

1-800-222-0892 • Expedia Rate

Economy/Coach flights included in price
5 people booked this property in the last 48 hours

Identification of Specific Barrier in Plain Language: Booking website does not identify and describe accessible features in the hotel and guest rooms in enough detail to reasonably permit Plaintiff to assess independently whether the hotel or guest room meets his accessibility needs. Insufficient dispersion of accessible rooms.

The manner in which the barriers denied Plaintiff full and equal use or access, and which deter Plaintiff from visiting the Hotel: Barrier denied Plaintiff full and equal access by failing to identify and describe accessible features in the hotel and guest rooms in enough detail to reasonably permit Plaintiff to assess independently whether the hotel or guest room meets his accessibility needs.

The dates on each particular occasion on which Plaintiff encountered such barrier and which deter Plaintiff from visiting Hotel: November 14, 2018.

1 **Luxury Houston hotel in The Galleria with 4
2 restaurants**

3 **Popular highlights**

4 **Free WiFi**

5 **Outdoor pool**

6 **24-hour business center**

7 **24-hour front desk**

8 **Multilingual staff**

9 **Location**

10 Located in The Galleria, this luxury hotel is 0.3 mi (0.4 km) from Uptown Park and 2 mi (3.3 km) from Memorial Park. River Oaks District and Williams Tower are also within 1 mi (2 km).

11 **Hotel Features**

12 This hotel features 4 restaurants, an outdoor pool, and a 24-hour fitness center. Free WiFi in public areas and a free area shuttle are also provided. Additionally, a bar/lounge, a poolside bar, and a coffee shop/café are onsite.

13 **Room Amenities**

14 All 250 rooms offer free WiFi, 24-hour room service, and flat-screen TVs with satellite channels. Guests will also find minibars, premium bedding, and separate bathtubs and showers.

15 **Identification of Specific Barrier in Plain Language:** Booking website does not identify and describe accessible features in the hotel and guest rooms in enough detail to reasonably permit Plaintiff to assess independently whether the hotel or guest room meets his accessibility needs. Insufficient dispersement of accessible rooms.

16 **The manner in which the barriers denied Plaintiff full and equal use or access, and which deter Plaintiff from visiting the Hotel:** Barrier denied Plaintiff full and equal access by failing to identify and describe accessible features in the hotel and guest rooms in enough detail to reasonably permit Plaintiff to assess independently whether the hotel or guest room meets his accessibility needs.

17 **The dates on each particular occasion on which Plaintiff encountered such barrier and which deter Plaintiff from visiting Hotel:** November 14, 2018.

1		Luxury Room, 2 Double Beds Max Occupancy: 4 guests (up to 2 children) <input checked="" type="checkbox"/> Earn 6,052 Expedia Rewards points Hide room information	Only 2 rooms left at +\$0.00 per night Non-Refundable	Select
2		2 Double Beds 526 sq feet (48 sq meters)		
3		Internet - Free WiFi Entertainment - Flat-screen TV with premium channels Food & Drink - Coffee/tea maker, minibar, and 24-hour room service Sleep - Premium bedding Bathroom - Private bathroom, free toiletries, and a separate bathtub and shower Practical - Safe, free newspaper, and iron/ironing board Comfort - Air conditioning and daily housekeeping Non-Smoking		
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9 **Identification of Specific Barrier in Plain Language:** Booking website does not
 10 identify and describe accessible features in the hotel and guest rooms in enough detail
 11 to reasonably permit Plaintiff to assess independently whether the hotel or guest room
 12 meets his accessibility needs. Insufficient dispersement of accessible rooms.

13 **The manner in which the barriers denied Plaintiff full and equal use or access, and which deter Plaintiff from visiting the Hotel:** Barrier denied Plaintiff full and
 14 equal access by failing to identify and describe accessible features in the hotel and guest rooms in enough detail to reasonably permit Plaintiff to assess independently whether the hotel or guest room meets his accessibility needs.

15 **The dates on each particular occasion on which Plaintiff encountered such barrier and which deter Plaintiff from visiting Hotel:** November 14, 2018.

16		Luxury Room, 1 King Bed Max Occupancy: 3 guests (up to 1 child) <input checked="" type="checkbox"/> Earn 6,052 Expedia Rewards points Hide room information	+\$0.00 per night Non-Refundable	Select
17		1 King Bed 526 sq feet (48 sq meters)		
18		Internet - Free WiFi Entertainment - Flat-screen TV with premium channels Food & Drink - Coffee/tea maker, minibar, and 24-hour room service Sleep - Premium bedding Bathroom - Private bathroom, free toiletries, and a separate bathtub and shower Practical - Safe, free newspaper, and iron/ironing board Comfort - Air conditioning and daily housekeeping Non-Smoking		
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Identification of Specific Barrier in Plain Language: Booking website does not identify and describe accessible features in the hotel and guest rooms in enough detail

1 to reasonably permit Plaintiff to assess independently whether the hotel or guest room
 2 meets his accessibility needs. Insufficient dispersement of accessible rooms.

3 **The manner in which the barriers denied Plaintiff full and equal use or access,**
 4 **and which deter Plaintiff from visiting the Hotel:** Barrier denied Plaintiff full and
 5 equal access by failing to identify and describe accessible features in the hotel and
 6 guest rooms in enough detail to reasonably permit Plaintiff to assess independently
 7 whether the hotel or guest room meets his accessibility needs.

8 **The dates on each particular occasion on which Plaintiff encountered such**
 9 **barrier and which deter Plaintiff from visiting Hotel:** November 14, 2018.

	Executive Suite Max Occupancy: 3 guests (up to 1 child) <input checked="" type="checkbox"/> Earn 6,676 Expedia Rewards points Hide room information	+ \$104.03 <small>per night</small> <small>Non-Refundable</small>	<input type="button" value="Select"/>
1 King Bed 526 sq feet (48 sq meters)			
Internet - Free WiFi			
Entertainment - Flat-screen TV with premium channels			
Food & Drink - Coffee/tea maker, minibar, and 24-hour room service			
Sleep - Premium bedding			
Bathroom - Private bathroom, free toiletries, and a separate bathtub and shower			
Practical - Safe, free newspaper, and iron/ironing board			
Comfort - Air conditioning and daily housekeeping			
Non-Smoking			

10
 11 **Identification of Specific Barrier in Plain Language:** Booking website does not
 12 identify and describe accessible features in the hotel and guest rooms in enough detail
 13 to reasonably permit Plaintiff to assess independently whether the hotel or guest room
 14 meets his accessibility needs. Insufficient dispersement of accessible rooms.

15 **The manner in which the barriers denied Plaintiff full and equal use or access,**
 16 **and which deter Plaintiff from visiting the Hotel:** Barrier denied Plaintiff full and
 17 equal access by failing to identify and describe accessible features in the hotel and
 18 guest rooms in enough detail to reasonably permit Plaintiff to assess independently
 19 whether the hotel or guest room meets his accessibility needs.

20 **The dates on each particular occasion on which Plaintiff encountered such**
 21 **barrier and which deter Plaintiff from visiting Hotel:** November 14, 2018.

1		Concierge Room, 1 King Bed Max Occupancy: 3 guests (up to 1 child) ✓ Earn 7,300 Expedia Rewards points Hide room information *	+ \$208.07 per night Non-Refundable	Select
2		1 King Bed 526 sq feet (48 sq meters)		
3		Internet - Free WiFi Entertainment - Flat-screen TV with premium channels Food & Drink - Coffee/tea maker, minibar, and 24-hour room service Sleep - Premium bedding Bathroom - Private bathroom, free toiletries, and a separate bathtub and shower Practical - Safe, free newspaper, and iron/ironing board Comfort - Air conditioning and daily housekeeping Non-Smoking		
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Identification of Specific Barrier in Plain Language: Booking website does not identify and describe accessible features in the hotel and guest rooms in enough detail to reasonably permit Plaintiff to assess independently whether the hotel or guest room meets his accessibility needs. Insufficient dispersement of accessible rooms.

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The dates on each particular occasion on which Plaintiff encountered such barrier and which deter Plaintiff from visiting Hotel: November 14, 2018.

16		Concierge Room, 2 beds Max Occupancy: 4 guests (up to 2 children) ✓ Earn 7,300 Expedia Rewards points Hide room information *	Only 2 rooms left at + \$208.07 per night Non-Refundable	Select
17		2 Double Beds 526 sq feet (48 sq meters)		
18		Internet - Free WiFi		
19		Entertainment - Flat-screen TV with premium channels		
20		Food & Drink - Coffee/tea maker, minibar, and 24-hour room service		
21		Sleep - Premium bedding		
22		Bathroom - Private bathroom, free toiletries, and a separate bathtub and shower		
23		Practical - Safe, free newspaper, and iron/ironing board		
24		Comfort - Air conditioning and daily housekeeping		
25		Non-Smoking		
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Identification of Specific Barrier in Plain Language: Booking website does not identify and describe accessible features in the hotel and guest rooms in enough detail

1 to reasonably permit Plaintiff to assess independently whether the hotel or guest room
 2 meets his accessibility needs. Insufficient dispersement of accessible rooms.

3 **The manner in which the barriers denied Plaintiff full and equal use or access,
 4 and which deter Plaintiff from visiting the Hotel:** Barrier denied Plaintiff full and
 5 equal access by failing to identify and describe accessible features in the hotel and
 6 guest rooms in enough detail to reasonably permit Plaintiff to assess independently
 7 whether the hotel or guest room meets his accessibility needs.

8 **The dates on each particular occasion on which Plaintiff encountered such
 9 barrier and which deter Plaintiff from visiting Hotel:** November 14, 2018.

	Concierge Executive Suite Max Occupancy: 3 guests (up to 1 child) <input checked="" type="checkbox"/> Earn 7,612 Expedia Rewards points Hide room information	Only 2 rooms left at + \$260.09 <small>per night</small> <small>Non-Refundable</small>	<input type="button" value="Select"/>
<p>1 King Bed</p> <p>526 sq feet (48 sq meters)</p> <p>Internet - Free WiFi</p> <p>Entertainment - Flat-screen TV with premium channels</p> <p>Food & Drink - Coffee/tea maker, minibar, and 24-hour room service</p> <p>Sleep - Premium bedding</p> <p>Bathroom - Private bathroom, free toiletries, and a separate bathtub and shower</p> <p>Practical - Safe, free newspaper, and iron/ironing board</p> <p>Comfort - Air conditioning and daily housekeeping</p> <p>Non-Smoking</p>			

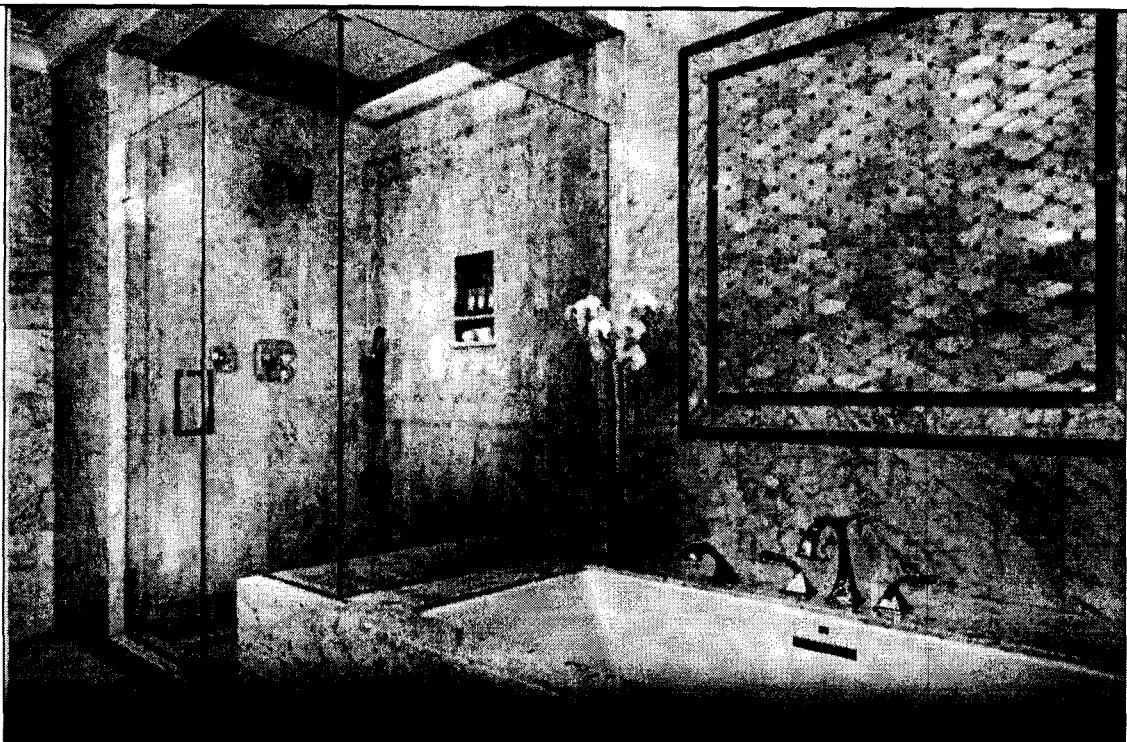
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 11 identify and describe accessible features in the hotel and guest rooms in enough detail
 12 to reasonably permit Plaintiff to assess independently whether the hotel or guest room
 13 meets his accessibility needs. Insufficient dispersement of accessible rooms.

14 **The manner in which the barriers denied Plaintiff full and equal use or access,
 15 and which deter Plaintiff from visiting the Hotel:** Barrier denied Plaintiff full and
 16 equal access by failing to identify and describe accessible features in the hotel and
 17 guest rooms in enough detail to reasonably permit Plaintiff to assess independently
 18 whether the hotel or guest room meets his accessibility needs.

19 **The dates on each particular occasion on which Plaintiff encountered such
 20 barrier and which deter Plaintiff from visiting Hotel:** November 14, 2018.

1		2	Classic Suite Max Occupancy: 3 guests (up to 1 child) ✓ Earn 9,766 Expedia Rewards points Hide room information	3	Only 1 room left at + \$618.99 per night Non-Refundable	4	Select
5	1 King Bed						
6	1042 sq feet (96 sq meters)						
7	Internet - Free WiFi						
8	Entertainment - Flat-screen TV with premium channels						
9	Food & Drink - Coffee/tea maker, minibar, and 24-hour room service						
10	Sleep - Premium bedding						
11	Bathroom - Private bathroom, free toiletries, and a separate bathtub and shower						
12	Practical - Safe, free newspaper, and iron/ironing board						
13	Comfort - Air conditioning and daily housekeeping						
14	Non-Smoking						
15	Identification of Specific Barrier in Plain Language: Booking website does not identify and describe accessible features in the hotel and guest rooms in enough detail to reasonably permit Plaintiff to assess independently whether the hotel or guest room meets his accessibility needs. Insufficient dispersement of accessible rooms.						
16	The manner in which the barriers denied Plaintiff full and equal use or access, and which deter Plaintiff from visiting the Hotel: Barrier denied Plaintiff full and equal access by failing to identify and describe accessible features in the hotel and guest rooms in enough detail to reasonably permit Plaintiff to assess independently whether the hotel or guest room meets his accessibility needs.						
17	The dates on each particular occasion on which Plaintiff encountered such barrier and which deter Plaintiff from visiting Hotel: November 14, 2018.						
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1		Residential Suite Max Occupancy: 3 guests (up to 1 child) <input checked="" type="checkbox"/> Earn 11,951 Expedia Rewards points Hide room information	Only 3 rooms left at + \$983.10 per night Non-Refundable	Select
2	1 King Bed 1047 sq feet (97 sq meters)			
3	Internet - Free WiFi			
4	Entertainment - Flat-screen TV with premium channels			
5	Food & Drink - Coffee/tea maker, minibar, and 24-hour room service			
6	Sleep - Premium bedding			
7	Bathroom - Private bathroom, free toiletries, and a separate bathtub and shower			
8	Practical - Safe, free newspaper, and iron/ironing board			
9	Comfort - Air conditioning and daily housekeeping			
10	Non-Smoking			
11	Identification of Specific Barrier in Plain Language: Booking website does not identify and describe accessible features in the hotel and guest rooms in enough detail to reasonably permit Plaintiff to assess independently whether the hotel or guest room meets his accessibility needs. Insufficient dispersement of accessible rooms.			
12	The manner in which the barriers denied Plaintiff full and equal use or access, and which deter Plaintiff from visiting the Hotel: Barrier denied Plaintiff full and equal access by failing to identify and describe accessible features in the hotel and guest rooms in enough detail to reasonably permit Plaintiff to assess independently whether the hotel or guest room meets his accessibility needs.			
13	The dates on each particular occasion on which Plaintiff encountered such barrier and which deter Plaintiff from visiting Hotel: November 14, 2018.			
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Identification of Specific Barrier in Plain Language: Inaccessible bathtub.

Inaccessible shower.

The manner in which the barriers denied Plaintiff full and equal use or access, and which deter Plaintiff from visiting the Hotel: Barrier denied Plaintiff full and equal access by failing to identify and describe accessible features in the hotel and guest rooms in enough detail to reasonably permit Plaintiff to assess independently whether the hotel or guest room meets his accessibility needs.

The dates on each particular occasion on which Plaintiff encountered such barrier and which deter Plaintiff from visiting Hotel: November 14, 2018.



Identification of Specific Barrier in Plain Language: Inaccessible pool.

The manner in which the barriers denied Plaintiff full and equal use or access, and which deter Plaintiff from visiting the Hotel: Barrier denied Plaintiff full and equal access by failing to identify and describe accessible features in the hotel and guest rooms in enough detail to reasonably permit Plaintiff to assess independently whether the hotel or guest room meets his accessibility needs.

1 **The dates on each particular occasion on which Plaintiff encountered such**
2 **barrier and which deter Plaintiff from visiting Hotel: November 14, 2018.**



21 **Identification of Specific Barrier in Plain Language:** Inaccessible pool.

22 **The manner in which the barriers denied Plaintiff full and equal use or access,**
23 **and which deter Plaintiff from visiting the Hotel:** Barrier denied Plaintiff full and
24 equal access by failing to identify and describe accessible features in the hotel and
 guest rooms in enough detail to reasonably permit Plaintiff to assess independently
 whether the hotel or guest room meets his accessibility needs.

25 **The dates on each particular occasion on which Plaintiff encountered such**
26 **barrier and which deter Plaintiff from visiting Hotel: November 14, 2018.**

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13 **Identification of Specific Barrier in Plain Language:** Inaccessible bar and sitting
area.

14 **The manner in which the barriers denied Plaintiff full and equal use or access,
and which deter Plaintiff from visiting the Hotel:** Barrier denied Plaintiff full and
equal access by failing to identify and describe accessible features in the hotel and
guest rooms in enough detail to reasonably permit Plaintiff to assess independently
whether the hotel or guest room meets his accessibility needs.

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17 **The dates on each particular occasion on which Plaintiff encountered such
barrier and which deter Plaintiff from visiting Hotel:** November 14, 2018.
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13 **Identification of Specific Barrier in Plain Language:** Unmarked passenger drop off area.

14 **The manner in which the barriers denied Plaintiff full and equal use or access,**
15 **and which deter Plaintiff from visiting the Hotel:** Barrier denied Plaintiff full and
16 equal access by failing to identify and describe accessible features in the hotel and
17 guest rooms in enough detail to reasonably permit Plaintiff to assess independently
whether the hotel or guest room meets his accessibility needs.

18 **The dates on each particular occasion on which Plaintiff encountered such**
barrier and which deter Plaintiff from visiting Hotel: November 14, 2018.

19 **1ST PARTY BOOKING WEBSITE**

20 <https://www.thepostoakhotel.com/>

21 **No Accessibility Information**

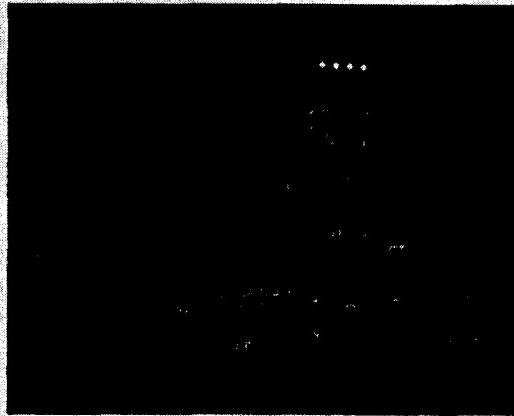
22 **Identification of Specific Barrier in Plain Language:** Booking website does not
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24 to reasonably permit Plaintiff to assess independently whether the hotel or guest room
meets his accessibility needs. Insufficient dispersement of accessible rooms.

25 **The manner in which the barriers denied Plaintiff full and equal use or access,**
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29 **The dates on each particular occasion on which Plaintiff encountered such**
30 **barrier and which deter Plaintiff from visiting Hotel:** November 14, 2018.

ABOUT US

Houston's newest luxury destination.



The Post Oak Hotel at Uptown Houston is the city's first elite destination for elegant accommodations masterfully blended with extensive conference space, prominent office space, designer fashion, signature dining and sophisticated amenities all in one tower. Indulge in sleek, modern comfort at The Post Oak Hotel, boasting an ultra-luxurious ambience coupled with an unrivaled experience with an international flare. Located in Uptown Houston, just steps away from The Galleria and River Oaks District, The Post Oak Hotel offers commanding views of downtown Houston and embraces every desire of savvy business and leisure travelers alike. Add the unmatched culinary excellence of Mastro's, the two-story Rolls Royce showroom and direct helicopter pad access and you will agree that The Post Oak Hotel is the ultimate in refinement and relaxation that is sure to satisfy even the most discriminating taste. The Post Oak Hotel at Uptown Houston, a lavish experience so uniquely refined there can only be one.

Identification of Specific Barrier in Plain Language: Booking website does not identify and describe accessible features in the hotel and guest rooms in enough detail to reasonably permit Plaintiff to assess independently whether the hotel or guest room meets his accessibility needs. Insufficient dispersement of accessible rooms.

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Luxury King or Double Queen Accommodations

Enter the world of unparalleled luxury in Houston that offers the most spacious and vibrant mix of sleek, ultra-modern design combined with unsurpassed views of the Houston skyline.

- 322 square foot Luxury King or Luxury Double Queen accommodations
- 300 count Egyptian cotton bed linens
- Full premium bar with Dean & DeLuca products
- Bluetooth connectivity for personal devices with sound and television
- Technology/personal wellness rack
- 30" Smart television in every room
- (1) 27" television in the bathroom
- Nespresso Coffee maker with complimentary selection of coffee pods
- Five-Fixture deluxe bathrooms
- Marble bathroom with dual vanities, soaking tub and separate shower
- Acqua Di Parma collection for bathroom amenities
- Over-sized Egyptian cotton towels
- Complimentary wireless internet
- Nightly turn-down service
- Handicap accessible options available

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6 **Executive Suite with Multiple City Views**

7 All of the unrivaled extravagance of the Luxury guestroom with panoramic
 8 views of the Houston skyline.

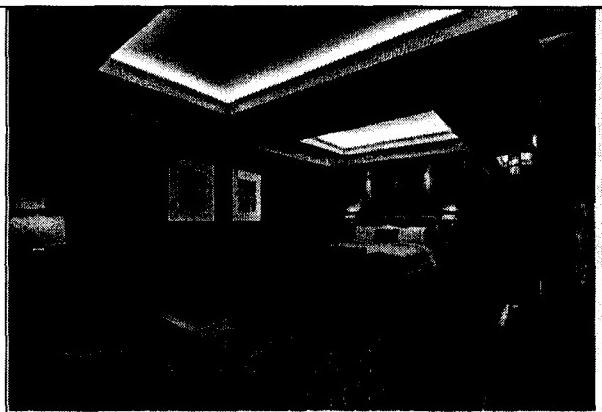
- 9 • 526 square foot Luxury King with multiple city views
- 10 • 300 count Egyptian cotton bed linens
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- 12 • Bluetooth connectivity for personal devices with sound and television
- 13 • Technogym personal wellness rack
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24 51 x 74

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36 **Luxury King or Double Queen Accommodations**

37 Enter the world of unparalleled luxury in Houston that offers the most
 38 spacious and vibrant mix of sleek, ultra-modern design combined with
 39 unsurpassed views of the Houston skyline.

- 40 • 526 square foot Luxury King or Luxury Double Queen accommodations
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- 43 • Bluetooth connectivity for personal devices with sound and television
- 44 • Technogym personal wellness rack
- 45 • 50" Smart televisions in every room
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3 **Luxury King with Concierge Lounge Access**

4 Concierge level access, luxury accommodations that offers the most
 5 spacious and vibrant mix of sleek, ultra-modern design combined with
 6 unparalleled views of the Houston skyline.

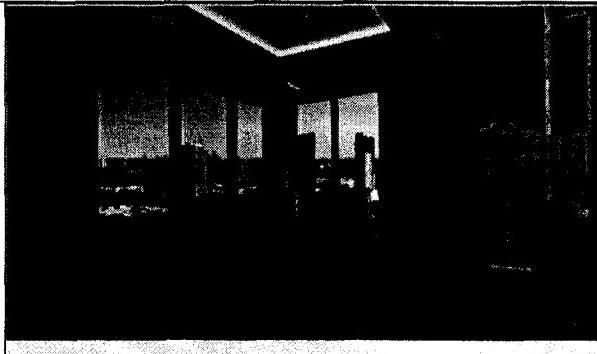
- 7 • 320 square feet Luxury King with Concierge Lounge Access
- 8 • Located on Floors 21, 22 and 23
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23 REVIEW

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35 **Executive Suite with Multiple City Views**

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 37 views of the Houston skyline.

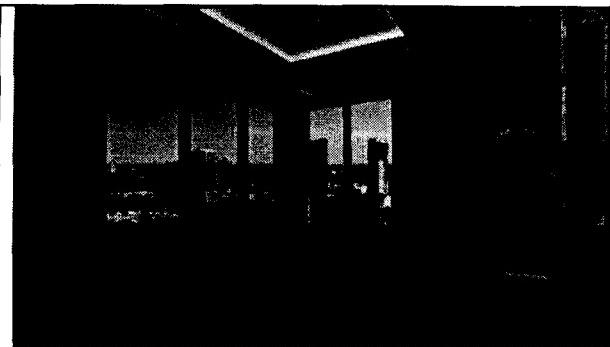
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**Executive Suite with Concierge Lounge Access**

Concierge level access luxury accommodations coupled with the finest panoramic views of the Houston skyline.

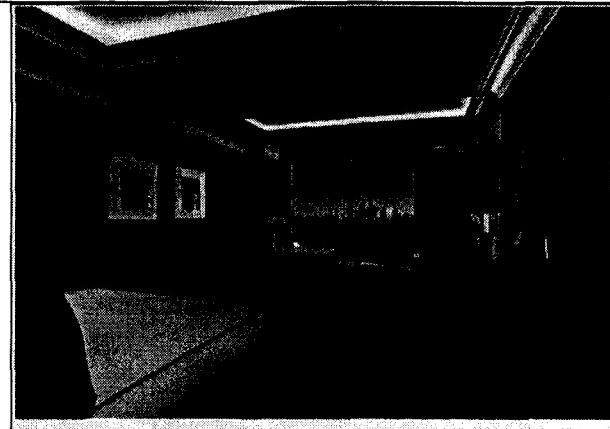
- 526 square foot Luxury King or Double Queen with Concierge Lounge Access
- Located on Floors 21, 22 and 23
- 500 count Egyptian cotton bed linens
- Full premium bar with Dean & DeLuca products
- Bluetooth connectivity for personal devices with sound and television
- Technogym personal wellness rack
- 50" Smart television in every room
- 11.27" television in the bathroom
- Nespresso Coffee maker with complimentary selection of coffee pods
- Five-Fixture deluxe bathroom
- Marble bathroom with dual vanities, soaking tub and separate shower
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**Luxury King with Concierge Lounge Access**

Concierge level access, luxury accommodations that offers the most spacious and vibrant mix of sleek, ultra-modern design combined with unsurpassed views of the Houston skyline.

- 526 square foot Luxury King with Concierge Lounge Access
- Located on Floors 21, 22 and 23
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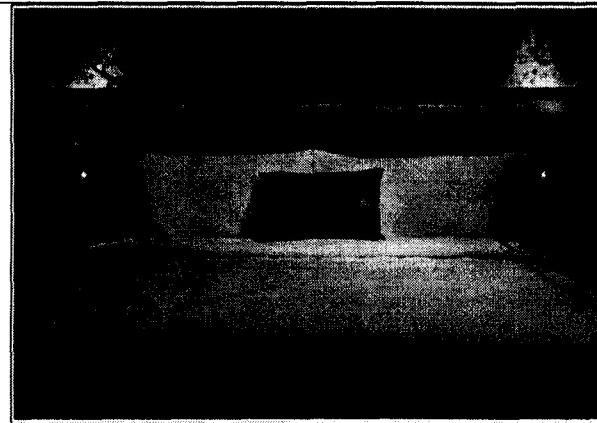
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- Bluetooth connectivity for personal devices with sound and television
- Technogym personal wellness rack
- 50" Smart televisions in every room
- (1) 27" television in the bathroom
- Nespresso Coffee maker with complimentary selection of coffee pods
- Five-Fixture deluxe bathrooms
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[REDACTED]

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**One Bedroom King Suite with Concierge Lounge Access**

Added space for extra privacy in addition to all of the unrivaled extravagance of the Concierge level luxury accommodations.

- 1007 SqFt. King Suite Room with Concierge Lounge Access
- Separate Living Area from Bedroom with Wet Bar
- 500 count Egyptian cotton bed linens
- Full premium bar with Dean & DeLuca products
- Bluetooth connectivity for personal devices with sound and television
- Technogym personal wellness rack
- (1) 50" Smart televisions in every room
- (1) 27" television in the bathroom
- Nespresso Coffee maker with complimentary selection of coffee pods
- Five-Fixture deluxe bathrooms
- Marlie's bathroom with dual vanities, soaking tub and separate shower
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The Post Oak Suite

This impressive 1,500 square-foot suite offers vast space for in-suite entertaining boasting a full kitchen and dining area as well as separate living space alongside of picturesque views of the Houston skyline.

- 1,500 Square Foot - One Bedroom King Suite Room located on the 22nd Floor
- Concierge Lounge Access
- Views of Downtown Houston
- Separate living area from bedroom
- Full kitchen and dining area
- Powder bathroom
- Walk in closet
- 500 count Egyptian cotton bed linens
- Full premium bar with Dean & DeLuca products
- Bluetooth connectivity for personal devices with sound and television
- Technogym personal wellness rack
- (2) 50" Smart televisions in every room
- (1) 27" television in the bathroom
- Nespresso Coffee maker with complimentary selection of coffee pods
- Five Picture deluxe bathrooms
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Two Bedroom Presidential Suite

Serving as Houston's unmatched, ultra-luxurious suites for visiting dignitaries, celebrities and the self-indulgent alike, the sophisticated and stylish Presidential Suite, which at 5,000 square feet is one of the largest of its kind in Houston. This two bedroom suite offers extra privacy and discretion with private elevator access, media room, exercise room, secluded terrace and much more.

Call for details.

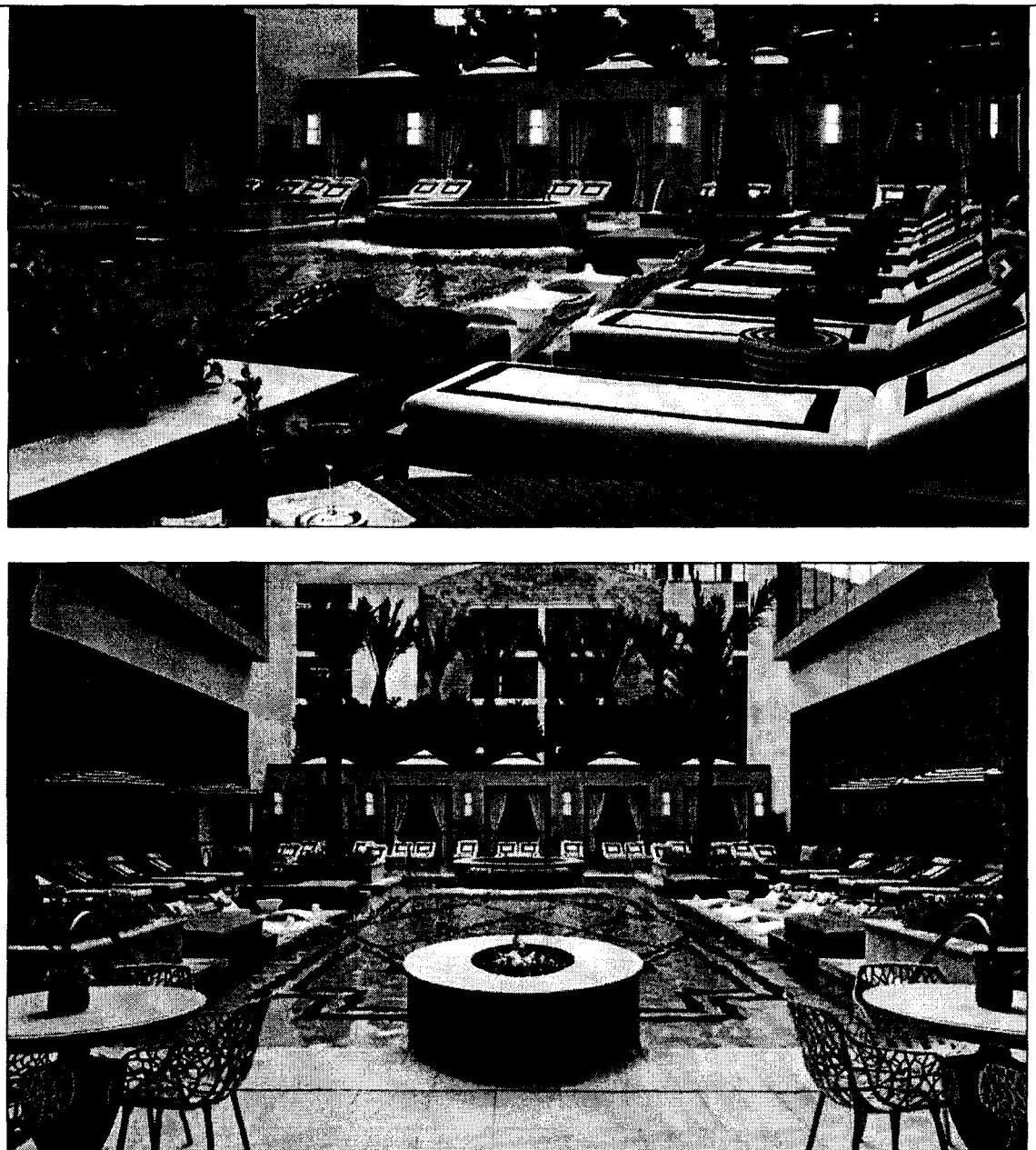
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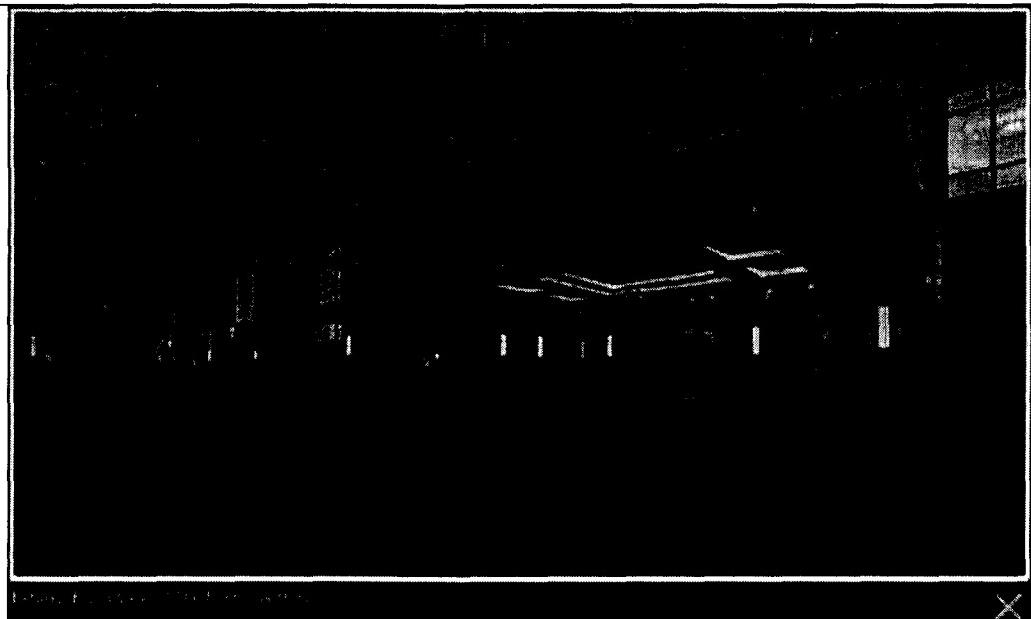
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Identification of Specific Barrier in Plain Language: Inaccessible pool.

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The dates on each particular occasion on which Plaintiff encountered such barrier and which deter Plaintiff from visiting Hotel: November 14, 2018.



Identification of Specific Barrier in Plain Language: No marked drop off zone.

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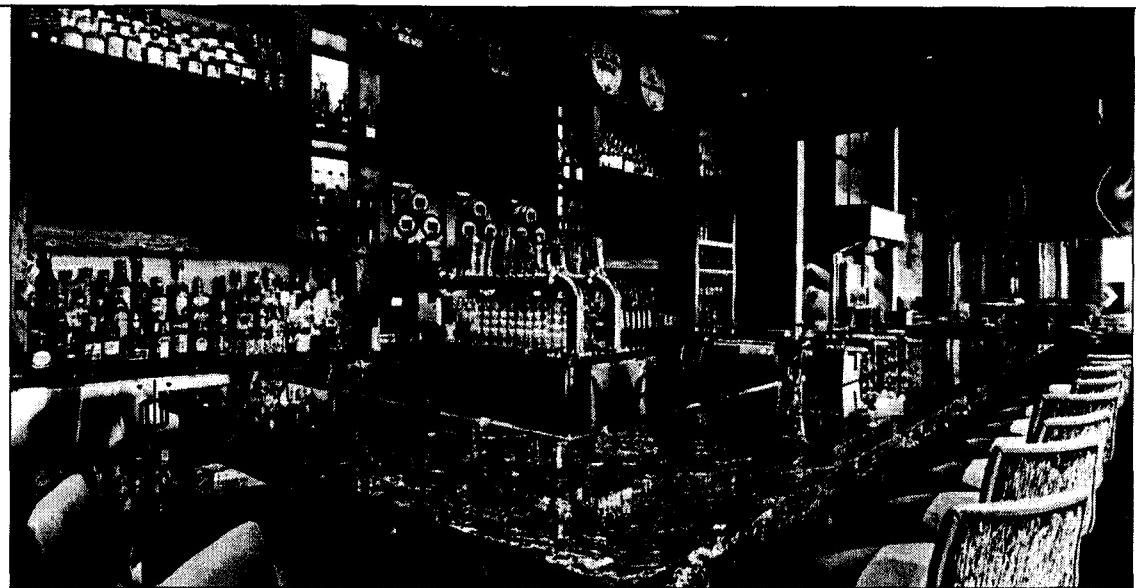
The dates on each particular occasion on which Plaintiff encountered such barrier and which deter Plaintiff from visiting Hotel: November 14, 2018.



Identification of Specific Barrier in Plain Language: Inaccessible bar.

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Identification of Specific Barrier in Plain Language: Inaccessible bar.

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Identification of Specific Barrier in Plain Language: Inaccessible bar and seating.

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TRAVELING WITH PETS

First-class services for pampered pooches.



At the Post Oak Hotel, four-legged visitors are treated to the same first-class service and experiences as their owners. Pampered pooch amenities include plush pet beds, bowls and dishware, and a pet-friendly in-room dining menu featuring chef-crafted Roasted Chopped Filet Mignon, Salmon & Egg Scramble, and Banana "n' Bark."

Pet Policy: We welcome dogs weighing up to 100 pounds. A \$150 cleaning fee with a signed waiver applies. Other pets must be approved by the General Manager.

First Class for Pampered Pooches, No Class for the Disabled

END